

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

**SCHWIND, ET AL.**

APPLICATION NO: (NOT YET ASSIGNED)

FILED: **HEREWITH**

FOR: **LENS CARE PRODUCT CONTAINING DEXPANTHENOL**

EXAMINER:

**(NOT YET ASSIGNED)**

ART UNIT: **(NOT YET ASSIGNED)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

11 January, 2002

**PRELIMINARY AMENDMENT**

Sir:

Prior to examining the enclosed application, please make the following changes.

**IN THE CLAIMS**

Please delete Claims 11 – 14.

Please amend Claims 2 – 10 and add new Claims 17 – 18 to read as follows:

2. Contact lens care composition according to claim 1, comprising dexpantenol and D-sorbitol.
3. Contact lens care composition according to claim 1, comprising an aqueous solution comprising 0.5 to 4 percent by weight, of dexpantenol, based on the total weight of the contact lens care composition.
4. Contact lens care composition according to claim 2, comprising 0.8 to 6 percent by weight, of D-sorbitol, based on the total weight of the contact lens care composition.
5. Contact lens care composition according to claim 1, which comprises one or more further constituents selected from the group consisting of buffer substances, substances that affect the tonicity, surface-active substances, substances that affect viscosity, complexing agents and/or antimicrobial compounds.
6. Contact lens care composition according to claim 1, which comprises dexpantenol, one or more buffer substances, PHMB, sodium chloride or potassium chloride and a complexing agent.

as well as buffer substances and water, and has a pH value of 6 to 8.

8. Contact lens care composition according to claim 2, which comprises dexpantenol, D-sorbitol, one or more buffer substances, PHMB, sodium chloride or potassium chloride and a complexing agent.

- 9.** Contact lens care composition according to claim 8, which comprises
- |              |                    |
|--------------|--------------------|
| dexpanthenol | 5 to 20 g/l        |
| D-sorbit     | 10 to 30 g/l       |
| NaCl or KCl  | 0 to 5 g/l         |
| PHMB         | 0.0005 to 0.05 g/l |
| EDTA         | 0.1 to 2 g/l       |

as well as buffer substances and water, and has a pH value of 6 to 8.

- 10.** Contact lens care composition according to claim 7, which comprises, in addition, a surface-active substance.
- 15.** Method for cleaning and optionally disinfecting a contact lens, wherein a contact lens care composition according to claim 1, is brought into contact with a contact lens for a period of time that is sufficient to clean and optionally disinfect said lens.
- 16.** Method for cleaning and optionally disinfecting a contact lens, wherein a contact lens care composition according to claim 2, is brought into contact with a contact lens for a period of time that is sufficient to clean and optionally disinfect said lens.
- 17.** Contact lens care composition according to claim 3, comprising an aqueous solution comprising 1 to 3 percent by weight of dexpanthenol, based on the total weight of the contact lens care composition.
- 18.** Contact lens care composition according to claim 4, comprising 1 to 3 percent by weight D-sorbitol, based on the total weight of the contact lens care composition.

**MARKED UP COPY OF CLAIMS**

Please delete Claims 11 – 14.

Please amend Claims 2 – 10 and add new Claims 17 – 18 as follows:

2. (amended) Contact lens care composition according to claim 1, comprising dexpantenol and [D-sorbit] D-sorbitol.

3. (amended) Contact lens care composition according to claim 1 [or 2], comprising an aqueous solution comprising 0.5 to 4 percent by weight[, preferably 1 to 3 percent by weight], of dexpanthenol, based on the total weight of the contact lens care composition.

4. (amended) Contact lens care composition according to claim 2 [or 3], comprising 0.8 to 6 percent by weight[, preferably 1 to 3 percent by weight], of [D-sorbit] D-sorbitol, based on the total weight of the contact lens care composition.

5. (amended) Contact lens care composition according to [one of claims 1 to 4] claim 1, which comprises one or more further constituents selected from the group consisting of buffer substances, substances that affect the tonicity, surface-active substances, substances that affect viscosity, complexing agents and/or antimicrobial compounds.

6. (amended) Contact lens care composition according to claim 1, which comprises dexpanthenol, one or more buffer substances, PHMB, sodium chloride or potassium chloride and a complexing agent.

7. (amended) Contact lens care composition according to claim 6, which contains

dexpanthenol	5 to 20 g/l
NaCl or KCl	3 to 9 g/l
PHMB	0.0005 to 0.05 g/l
EDTA	0.1 to 2 g/l

as well as buffer substances and water, and [it] has a pH value of 6 to 8.

8. (amended) Contact lens care composition according to [one of claims 2 to 5] claim 2, which comprises dexpanthenol, [D-sorbit] D-sorbitol, one or more buffer substances, PHMB, sodium chloride or potassium chloride and a complexing agent.

9. (amended) Contact lens care composition according to claim 8, which comprises

dexpanthenol	5 to 20 g/l
D-sorbit	10 to 30 g/l
NaCl or KCl	0 to 5 g/l
PHMB	0.0005 to 0.05 g/l
EDTA	0.1 to 2 g/l

as well as buffer substances and water, and [it] has a pH value of 6 to 8.

10. (amended) Contact lens care composition according to claim 7 [or 9], which comprises, in addition, a surface-active substance.

15. (amended) Method for cleaning and optionally disinfecting a contact lens,

wherein a contact lens care composition according to [one of claims 1, 6 or 7] claim 1, is brought into contact with a contact lens for a period of time that is sufficient to clean and optionally disinfect [it] said lens.

16. (amended) Method for cleaning and optionally disinfecting a contact lens, wherein a contact lens care composition according to [one of claims 2 to 5 or 8 to 10] claim 2, is brought into contact with a contact lens for a period of time that is sufficient to clean and optionally disinfect [it] said lens.

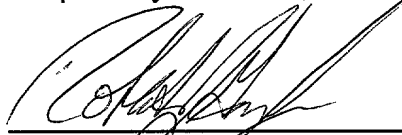
17. (new) Contact lens care composition according to claim 3, comprising an aqueous solution comprising 1 to 3 percent by weight of dexpanthenol, based on the total weight of the contact lens care composition.

18. (new) Contact lens care composition according to claim 4, comprising 1 to 3 percent by weight D-sorbitol, based on the total weight of the contact lens care composition.

#### **REMARKS**

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. Please address all correspondence to Thomas Hoxie, Novartis Corporation, Patent and Trademark Department, 564 Morris Avenue, Summit, NJ 07901. The commissioner is hereby authorized to charge any other fees with may be required under 37 C.F.R. §1.16 and 1.17, or credit any overpayment, to Deposit Account No. 19-0134.

Respectfully submitted,



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